

JALISSA WILLIAMS

SUIT NO.

6024,584 A

VERSUS

FIRST JUDICIAL DISTRICT COURT

ZACHARY CARAWAY, ET AL.

CADDO PARISH, LOUISIANA

PETITION FOR DAMAGES

NOW INTO COURT, through undersigned counsel, comes and appears JALISSA WILLIAMS, major domiciliary of Caddo Parish, Louisiana, who with respect represents that:

1.

Made defendants herein are:

- A. ZACHARY CARAWAY, a nonresident who can be served at 3060 County Road 4794, Bloomburg, Texas 75556 by registered or certified mail pursuant under LSA R.S. 13:3204;
- B. ZURICH AMERICAN INSURANCE COMPANY, a foreign insurance company that may be served through its agent for service of process: Louisiana Secretary of State, 8585 Archives Avenue, Baton Rouge, Louisiana 70809;
- C. JMS RUSSEL METALS CORP., a foreign corporation that may be served through its agent for service of process: CT Corporation System, 3867 Plaza Tower Dr., Baton Rouge, Louisiana 70816; and
- D. RYDER TRUCK RENTAL, foreign corporation that may be served through its agent for service of process: Corporate Creations Network, Inc., 1070-B West Causeway Approach, Mandeville, LA 70471.

2.

Caddo Parish is a proper venue under La. C.C.P. art. 73 and La. R.S. 13:3203 and 13:3201.

3.

On August 27, 2019, ZACHARY CARAWAY was driving a Freightline truck with trailer (hereinafter "the Caraway vehicle") south in the outside lane of Interstate 49 in Desoto Parish, Louisiana.

4.

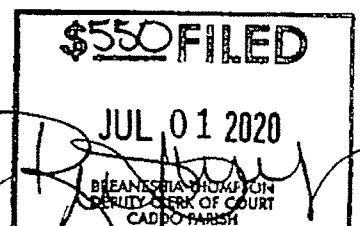
On August 27, 2019, JALISSA WILLIAMS was driving a Nissan vehicle (hereinafter "the Williams vehicle") directly behind the Caraway vehicle in the same lane.

5.

ZACHARY CARAWAY, however, failed to secure the load on his trailer.

William Hall
#547

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6.

Square steel bars (piping) came loose and began falling off the Caraway vehicle, crashing into the Williams vehicle and injuring plaintiff.

7.

The square steel bars also caused damage to the front, roof and rear of the Williams vehicle.

8.

The accident was caused by ZACHARY CARAWAY in the following particulars:

- A. Failing to secure the square steel bars(piping) safely;
- B. Failing to insure his load was properly distributed;
- C. Failing to properly inspect his vehicle (warped metal straps and chains);
- D. Violating La. R.S. 32:383; and
- E. Recklessly operating his vehicle.

9.

JALISSA WILLIAMS was exercising due care and caution and was free of negligence, fault, and breach of duties, and did not contribute to the cause of this accident.

10.

On August 27, 2019, the Caraway vehicle was owned by RYDER TRUCK RENTAL.

11.

A metal strap securing the load on the trailer of the Caraway vehicle had warped and lost its ability to secure the load.

12.

The defective condition of the metal strap created an unreasonable risk of harm.

13.

As the owner of the Caraway vehicle, RYDER TRUCK RENTAL shared garde and custody of the Caraway vehicle with Caraway and JMS RUSSEL METALS CORP.

14.

RYDER TRUCK RENTAL knew or should have known about the defect in its vehicle.

15.

The accident was caused by RYDER TRUCK RENTAL in the following particulars:

- A. Failing to inspect its vehicle;
- B. Failing to maintain its vehicle; and

C. Allowing its vehicle to carry loads with an unreasonable dangerous defect.

16.

On August 27, 2019, the Caraway vehicle was rented by JMS RUSSEL METALS CORP.

17.

On August 27, 2019, Caraway was driving the Caraway vehicle with the permission and authority of JMS RUSSEL METALS CORP.

18.

On August 27, 2019, Caraway was employed by JMS RUSSEL METALS CORP.

19.

At the time of the accident, Caraway was working in course and scope of his employment by JMS RUSSEL METALS CORP.

20.

JMS RUSSEL METALS CORP. is vicariously liable for the negligent acts and the damages caused by ZACHARY CARAWAY under La. C.C. art. 2320 and the doctrine of *respondeat superior*.

21.

As a result of this accident, JALISSA WILLIAMS sustained serious, painful, and permanent bodily injuries. She required medical treatment and continues to require additional treatment.

22.

JALISSA WILLIAMS itemizes her damages as follows:

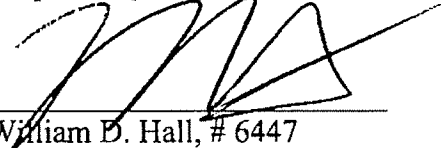
- A. Past, present, and future medical expenses;
- B. Past, present, and future physical pain and suffering;
- C. Past, present, and future mental pain and anguish;
- D. Permanent injuries and disability;
- E. Loss of wages and economic opportunity;
- F. Loss of enjoyment of life; and
- G. Property damage including deductible.

23.

On August 27, 2019, ZURICH AMERICAN INSURANCE COMPANY issued and had in full force and effect a policy of public liability insurance covering the Caraway vehicle, ZACHARY CARAWAY, and JMS RUSSEL METALS CORP. and provided coverage for these damages.

WHEREFORE, plaintiff prays that this petition be served on defendants in accordance with law, that they be required to answer same, and that after all legal delays and due proceedings are had herein, there be judgment in favor of plaintiff, and against all defendants, jointly, severally, and in solido, for damages reasonable under the premises, together with interest at the legal rate from the date of judicial demand until paid in full, plus all costs of these proceedings.

Respectfully submitted,



William D. Hall, # 6447
Jean-Paul Guidry, #33164
828 Shreveport Barksdale Hwy.
Shreveport, Louisiana 71105
Telephone: 318-868-1246
Attorneys for Plaintiff

Please serve:

1. **JMS Russel Metals Corp.**
through its agent for service of process:
CT Corporation System
3867 Plaza Tower Dr.
Baton Rouge, Louisiana 70816;
2. **Zurich American Insurance Co.**
through its agent for service of process:
Louisiana Secretary of State
8585 Archives Avenue
Baton Rouge, Louisiana 70809; and
3. **Ryder Truck Rental**
through its agent for service of process:
Corporate Creations Network, Inc.
1070-B West Causeway Approach
Mandeville, LA 70471.
4. Please return service documents so attorneys can serve **Zachary Caraway** long-arm.

Citation

JALISSA WILLIAMS
VS
ZACHARY CARAWAY ETAL

NO. 624584- A
STATE OF LOUISIANA
PARISH OF CADDO
FIRST JUDICIAL DISTRICT COURT

THE STATE OF LOUISIANA, TO: JMS RUSSEL METALS CORP
THRU CT CORPORATION SYSTEM
3867 PLAZA DR TOWER
BATON ROUGE, LA 70816

YOU HAVE BEEN SUED.
Attached to this Citation is a certified copy of the Petition.* The petition tells you what you are being sued for.

You must EITHER do what the petition asks, OR, within FIFTEEN (15) days after you have received these documents, you must file an answer or other legal pleadings in the Office of the Clerk of this Court at the Caddo Parish Court House, 501 Texas Street, Room 103, Shreveport, Louisiana.

If you do not do what the petition asks, or if you do not file an answer or legal pleading within FIFTEEN (15) days, a judgment may be entered against you without further notice.

This Citation was issued by the Clerk of Court for Caddo Parish, on this date July 2, 2020.

*Also attached are the following: MIKE SPENCE, CLERK OF COURT

REQUEST FOR ADMISSIONS OF FACTS

INTERROGATORIES

REQUEST FOR PRODUCTION OF DOCUMENTS By: _____

Deputy Clerk

WILLIAM HALL 547

Attorney

FILE COPY

Citation

JALISSA WILLIAMS
VS
ZACHARY CARAWAY ETAL

NO. 624584- A
STATE OF LOUISIANA
PARISH OF CADDO
FIRST JUDICIAL DISTRICT COURT

THE STATE OF LOUISIANA, TO: RYDER TRUCK RENTAL
THRU CORPORATE CREATIONS NETWORK INC 1070 B
WEST CAUSEWAY
MANDEVILLE, LA 70471

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JALISSA WILLIAMS
VS
ZACHARY CARAWAY ETAL

NO. 624584- A
STATE OF LOUISIANA
PARISH OF CADDO
FIRST JUDICIAL DISTRICT COURT

THE STATE OF LOUISIANA, TO: ZURICH AMERICAN INSURANCE COMPANY
THRU HONORABLE SECRETARY OF STATE
BATON ROUGE, LA 70809

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By: _____

Deputy Clerk

WILLIAM HALL 547

Attorney

FILE COPY

Long-Arm Citation

JALISSA WILLIAMS
VS
ZACHARY CARAWAY ETAL

NO. 624584 – A
STATE OF LOUISIANA
PARISH OF CADDO
FIRST JUDICIAL DISTRICT COURT

THE STATE OF LOUISIANA, TO: ZACHARY CARAWAY

YOU HAVE BEEN SUED.

Attached to this Citation is a certified copy of the Petition.* The petition tells you what you are being sued for.

You must EITHER do what the petition asks, OR, within THIRTY (30) days after you have received these documents, you must file an answer or other legal pleadings in the Office of the Clerk of this Court at the Caddo Parish Court House, 501 Texas Street, Room 103, Shreveport, Louisiana.

If you do not do what the petition asks, or if you do not file an answer or legal pleading within THIRTY (30) days, a judgment may be entered against you without further notice.

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____ REQUEST FOR ADMISSIONS OF FACTS
____ INTERROGATORIES
____ REQUEST FOR PRODUCTION OF DOCUMENTS

MIKE SPENCE, CLERK OF COURT

By: _____
Deputy Clerk

WILLIAM HALL 547
Attorney

FILE COPY

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CPCC.CV.1985555

Citation

39.36

JALISSA WILLIAMS
VS
ZACHARY CARAWAY ETAL

NO. 624584- A
STATE OF LOUISIANA
PARISH OF CADDO
FIRST JUDICIAL DISTRICT COURT

THE STATE OF LOUISIANA, TO: JMS RUSSEL METALS CORP
THRU CT CORPORATION SYSTEM
3867 PLAZA DR TOWER
BATON ROUGE, LA 70816

RECEIVED
JUL 14 2020
E.B.R. Sheriff Office

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REQUEST FOR ADMISSIONS OF FACTS

INTERROGATORIES

REQUEST FOR PRODUCTION OF DOCUMENTS

By:

Deputy Clerk

WILLIAM HALL 547

Attorney

SERVICE INFORMATION: by Jeannine Beauregard

Personal _____ Domiciliary _____ to _____

Unserved _____ because _____

Remarks _____

I made service on the named party through the _____

JUL 15 2020
ABBY SARMIER
Deputy Sheriff, Parish of East Baton Rouge, Louisiana

I made service on the named party through the _____

CT Corporation

JUL 15 2020
ABBY SARMIER
by tendering a copy of this document to
Jeannine Beauregard
Jeannine Beauregard
Alison Reed
Deputy Sheriff, Parish of East Baton Rouge, Louisiana

Deputy Sheriff

FILED
SHERIFF RETURN
JUL 22 2020
MIKE SPENCE
CLERK OF COURT



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CPCC.CV.1985571

Citation

JALISSA WILLIAMS

NO. 624584- A

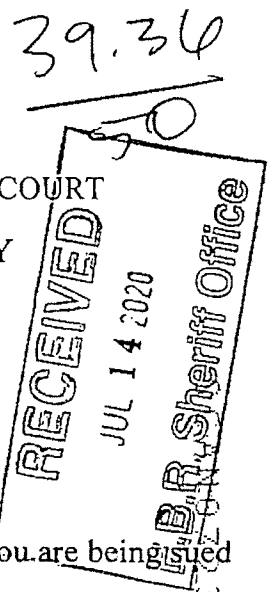
STATE OF LOUISIANA

PARISH OF CADDO

FIRST JUDICIAL DISTRICT COURT

ZACHARY CARAWAY ETAL

THE STATE OF LOUISIANA, TO: ZURICH AMERICAN INSURANCE COMPANY
THRU HONORABLE SECRETARY OF STATE
BATON ROUGE, LA 70809



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INTERROGATORIES

REQUEST FOR PRODUCTION OF DOCUMENTS

By: 

Deputy Clerk

Made service on the named party through the
Office of the Secretary of State on

WILLIAM HALL 547

Attorney

SERVICE INFORMATION:

Personal _____ Domiciliary _____ to

Unserved _____ because _____

Remarks _____

JUL 15 2020
by tendering a copy of this document to
KATHY DARDEN
DY. E. CUMMINS #1155
Deputy Sheriff, Parish of East Baton Rouge, Louisiana

FILED
SHERIFF RETURN

JUL 22 2020

MIKE SPENCE
CLERK OF COURT

Deputy Sheriff



JALISSA WILLIAMS

SUIT NO. 624584-A

VERSUS

FIRST JUDICIAL DISTRICT COURT

ZACHARY CARAWAY, ET AL.

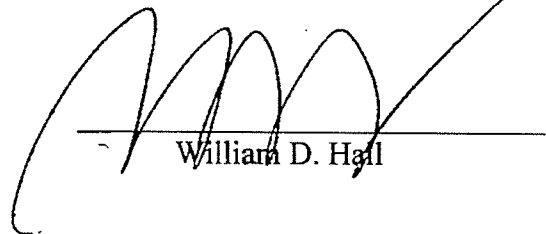
CADDOPARISH, LOUISIANA

AFFIDAVIT

BEFORE ME, the undersigned Notary Public, personally came and appeared, William D. Hall who, after being duly sworn, did depose and state that:

He sent a certified copy of the petition and the summons by registered or certified mail, after having enclosed it in an envelope properly addressed to Zachary Caraway, with sufficient postage affixed, and deposited in the United States mail on July 10, 2020.

The return receipt from the postal service of the defendant is attached to this affidavit as Exhibit A.


William D. Hall

Sworn to and subscribed before me on the 22 day of July, 2020.

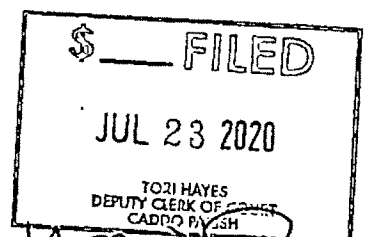

Notary Public

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CC ✓ CP ✓ MAIL ✓ N/J ✓
INDEX ✓ REC ✓ FAX ✓
W/D DOC ✓ CERT MAIL ✓
SERVICE ✓



JEAN-PAUL GUIDRY
Notary Public
Notary ID No. 131456
Caddo Parish, Louisiana
LA Bar Roll No. 33184, Commission for Life

| SENDER: COMPLETE THIS SECTION | | COMPLETE THIS SECTION ON DELIVERY | |
|---|--|---|--|
| <p>■ Complete items 1, 2, and 3.</p> <p>■ Print your name and address on the reverse so that we can return the card to you.</p> <p>■ Attach this card to the back of the mailpiece, or on the front if space permits.</p> <p>1. Article Addressed to: <u>Zachary Caraway</u> <u>3060 County Rd. 4794</u> <u>Bloomburg, Texas</u> <u>75856</u></p> <p>9590 9402 5077 9092 0213 94</p> <p>2. Article Number (Transfer from service label) <u>7019 0700 0000 1452 7333</u></p> | | <p>A. Signature <u>Zachary Caraway</u> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) _____ C. Date of Delivery _____</p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p> <p>3. Service Type <input type="checkbox"/> Adult Signature <input type="checkbox"/> Adult Signature Restricted Delivery <input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Certified Mail Restricted Delivery <input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Collect on Delivery Restricted Delivery <input type="checkbox"/> Priority Mail Express® <input type="checkbox"/> Registered Mail™ <input type="checkbox"/> Registered Mail Restricted Delivery <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Signature Confirmation™ <input type="checkbox"/> Signature Confirmation Restricted Delivery <input type="checkbox"/> Restricted Delivery </p> | |



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